

# MEMORANDUM

Agenda Item No. 11(A)(17)

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**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** July 1, 2014

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution of the Board of  
County Commissioners waiving  
term limits for Construction  
Trades Qualifying Board  
member James Rose and  
appointing for another term by a  
two-thirds (2/3) vote of the  
Board members present

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Xavier L. Suarez.

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/smm



# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** July 1, 2014

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☒ Applicable legislation requires more than a majority vote (i.e., 2/3's ☒, 3/5's ☐, unanimous ☐) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11 (A) (17)

7-1-14

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE BOARD OF COUNTY  
COMMISSIONERS WAIVING TERM LIMITS FOR  
CONSTRUCTION TRADES QUALIFYING BOARD MEMBER  
JAMES ROSE AND APPOINTING FOR ANOTHER TERM BY  
A TWO-THIRDS (2/3) VOTE OF THE BOARD MEMBERS  
PRESENT

**WHEREAS**, on January 21, 2010, the Board of County Commissioners enacted Ordinance No. 10-06, amending Chapter 2, Section 2-11.38.2 of the Code of Miami-Dade County, Florida to permit the waiver of term limits for County board members; and

**WHEREAS**, pursuant to Section 2-11.38.2 of the Code of Miami-Dade County, the Board of County Commissioners may, by resolution adopted by a two-thirds (2/3) vote of members present, waive a term limit applicable to a member of a County board; and

**WHEREAS**, pursuant to Section 10-20 of the Code of Miami-Dade County, term duration for members of the Construction Trades Qualifying Board is three (3) years; and

**WHEREAS**, Section 10-20 of the Code of Miami-Dade County does not provide for term limits for members of the Construction Trades Qualifying Board; and

**WHEREAS**, Section 2-11.38.2 of the Code of Miami-Dade County, which governs the Construction Trades Qualifying Board with respect to term limits, states that, "No board member shall serve more than eight (8) consecutive years on any one (1) board."; and

**WHEREAS**, Mr. James Rose, a licensed engineering contractor, has been a valued member of the Construction Trades Qualifying Board, "A" Division, and has reached his term limit as a member of the Construction Trades Qualifying Board, "A" Division; and

**WHEREAS**, Mr. James Rose's continued service as a member would aid in the effective operation of the Construction Trades Qualifying Board, "A" Division; and

**WHEREAS**, the Board of County Commissioners wishes to waive the applicable term limits and reappoint Mr. Rose to another term,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

**Section 1.** The foregoing recitals are incorporated in this resolution and are approved.

**Section 2.** Pursuant to Section 2-11.38.2 of the Code of Miami-Dade County, the Board by a two-thirds (2/3) vote of its present membership, hereby waives the term limit requirement for James Rose.

**Section 3.** The Board reappoints James Rose to the Miami-Dade Construction Trades Qualifying Board, "A" Division, for another three (3) year term.

The Prime Sponsor of the foregoing resolution is Commissioner Xavier L. Suarez. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman

Lynda Bell, Vice Chair

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Jean Monestime

Sen. Javier D. Souto

Juan C. Zapata

Esteban L. Bovo, Jr.

Audrey M. Edmonson

Barbara J. Jordan

Dennis C. Moss

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of July, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

MTM

Michael J. Mastrucci